



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,335	12/23/2003	Hiroyuki Kuwana	4686-003	5593

22429 7590 10/24/2006

LOWE HAUPTMAN BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA, VA 22314

EXAMINER

KARKHANIS, AASHISH

ART UNIT	PAPER NUMBER
----------	--------------

3714

DATE MAILED: 10/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/743,335

Applicant(s)

KUWANA, HIROYUKI

Examiner

Aashish Karkhanis

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1 – 5 and 7 – 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Walker et al. (U.S. Patent 6,312,332 B1).

Regarding Claims 1 and 7 – 9, walker discloses a gaming system for providing a game to a player group consisting of a plurality of players, wherein the game is played among the plurality of players (col. 4, lins. 36 – 43; where a jackpot is shared among a plurality of players) including a plurality of terminals operable by the respective plurality of the players (col. 3, lins. 17 – 23), and a gaming server communicating with the plurality of the terminals, wherein the gaming server comprises a controller executing a computer program and controlling the plurality of the terminals (col. 4, lins. 48 – 67; where a gaming machine is designated as a master gaming server and controls and coordinates communications, player data, and gaming data), and wherein a progress of the game comprises a normal mode whereby the players in the player group operate the game in turn, and a special mode which occurs in accordance with a game status of the player group , wherein the controller generates a special interval for stopping the progress of the game in the special mode (col. 8, lins. 35 – 48; where a special mode is a secondary game that players must qualify for during a normal reel game mode, and

Art Unit: 3714

changes the status of a player group by allowing a second player group formed from the first player group), and wherein the controller generates a dummy interval imitating the special interval in the normal mode during the game (col. 8, lins. 45 – 48; where players that do not qualify may not enter a bonus round and may spend time in a dummy interval that lasts as long as a special interval while waiting to rejoin members in a group when normal mode continues after the completion of a special interval).

Regarding Claims 2 – 5, Walker discloses a gaming system wherein the controller determines whether to generate the dummy interval based on an operation by at least one of the plurality of the players (col. 8, lins. 45 – 48; where a dummy interval is generated by both players that qualify for a special mode and players that do not qualify and must wait for the completion of a special mode), wherein the controller determines a length of the dummy interval based on an operation by at least one of the plurality of the players (col. 8, lins. 58 – 62; where players in a dummy interval may wait for players in a special mode to play within a maximum special game interval).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (U.S. Patent 6,312,332 B1).

Regarding Claim 6, Walker discloses a gaming system wherein the game is a horse-racing game (col. 8, lins. 45 – 50), but does not disclose a mah-jong game. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the multiplayer wagering game with normal and special modes capable of playing a number of types of games well known in the art (col. 8, lins. 45 – 50; where a horse racing game is described simply as one example of wagering games that are well known and established in the art) of Walker with a mah-jong game in order to provide entertaining games that players will enjoy.

Response to Arguments

3. Applicant's arguments with respect to claims 1 – 9 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,116,055: Linked play gaming.

Art Unit: 3714

U.S. Patent 5,564,700: Jackpot linked gaming.

U.S. Patent 5,580,309: Linked play gaming.

U.S. Patent 6,077,162: Cooperative group play.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aashish Karkhanis whose telephone number is (571) 272-2774. The examiner can normally be reached on 0800-1630 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3714

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ARK

JOHN M. HOTALING, II
PRIMARY EXAMINER

JOHN M. HOTALING, II
PRIMARY EXAMINER